

2003 DRAFTING REQUEST**Assembly Substitute Amendment (ASA-AB29)**

Received: 09/17/2003

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Robert Ziegelbauer (608) 266-0315

By/Representing: TomKelly

This file may be shown to any legislator: NO

Drafter: pgrant

May Contact:

Addl. Drafters:

Subject: Education - charter schools

Extra Copies: MJL

Submit via email: YES

Requester's email: Rep.Ziegelbauer@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Establishment of charter schools by county board

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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1/?	pgrant	11-9/17 bmg	9/17	9/17			

FE Sent For:

<END>

Grant, Peter

From: Kelly, Tom
Sent: Wednesday, September 17, 2003 9:15 AM
To: Grant, Peter
Subject: Proposed Substitute Amendment to AB 29

Hi Peter.

Tom Kelly from Bob Ziegelbauer's office here. Bob would like to have a substitute amendment to his county charter school bill (AB 29) drafted. Instead of allowing all counties to create charter schools, the sub would create a pilot project for ten counties. The details of the idea for the sub are included below.

The bill is up for an exec on the 24th. So, if we could get the sub in a timely matter, it would be greatly appreciated.

Thanks in advance for your help. Please let me know if you have any questions.

-Tom Kelly
 Office of Rep. Ziegelbauer

6-0315

Substitute Amendment to AB 29

As a pilot project, allow up to 10 counties to sponsor (authorize) not more than 2 charter schools each. Provide that the first 10 counties, pursuant to a written submission (letter of intent) to the State Superintendent of Public Instruction from the county executive or chairperson of the county board of supervisors, would be eligible to sponsor one or two charter schools.

A charter school sponsored by a county could first open beginning with the 2005 - 2006 school year or later. The charter must be located in the county.

Pupils who reside ~~in a school district located~~ in the county may attend the charter school. Operators of the county sponsored charter schools receive the same amount of state aid per pupil as do the operators of other independent charter schools.

Rationale: The proposed substitute amendment to allow 10 counties to sponsor not more than 2 charter schools each is similar to Wisconsin's first charter school law enacted by the 1993 Legislature. That pilot program allowed the first 10 school districts that submitted to DPI a letter of intent to sponsor (authorize) one or two charter schools. The proposal provides that county-sponsored charter schools could first open beginning with the 2005-2006 school year or later. That moves the school start date and state funding into the next biennium. Also, it assumes that AB 29 would first become law in the spring or summer 2004, and that counties would subsequently submit letters of intent to DPI and establish procedures for authorizing charter schools. Newly sponsored charter schools would have a year or longer to continue planning, employ teachers, and recruit students before opening for the 2005-2006 school year.

county exec. or city bd. - call res. subject veto by county exec.

- pupils who reside in a school located in city?
no, in county

09/17/2003

FRIDAY
LRBs 0179/1
PG:Kmg

A. SUBST. AMDT. —
70 2003 ASSEMBLY BILL 29

February 5, 2003 — Introduced by Representatives ZIEGELBAUER, UNDERHEIM, GIELOW, GUNDERSON, HINES, MUSSER, STONE and MCCORMICK, cosponsored by Senators WELCH, A. LASEE, REYNOLDS, ROESSLER and STEPP. Referred to Committee on Education Reform.

- 1 AN ACT *to amend* 118.40 (2r) (bm) and 118.40 (2r) (c) 1.; and *to create* 118.40
2 (2r) (b) 1. e. of the statutes; **relating to:** the establishment of charter schools
3 by county boards.

Analysis by the Legislative Reference Bureau

Under current law, school boards may enter into contracts with individuals, groups, businesses, or governmental bodies to establish charter schools, which operate with fewer constraints than traditional public schools. Current law also permits the University of Wisconsin-Milwaukee, the University of Wisconsin-Parkside, the Milwaukee Area Technical College, and the city of Milwaukee to operate charter schools (independent charter schools) directly or to contract for the operation of charter schools. Only pupils who reside in the school district in which an independent charter school is located may attend the charter school. The operators of the independent charter schools receive state aid for each pupil attending the charter school.

This bill allows a county board to operate a charter school directly or to contract for its operation. The bill requires that the charter school be located in the county. Only pupils who reside in the county in which the charter school is located may attend the charter school. Operators of these charter schools receive the same amount of state aid per pupil as do the operators of other independent charter schools.

ASSEMBLY BILL 29

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 118.40 (2r) (b) 1. e. of the statutes is created to read:

2 118.40 (2r) (b) 1. e. A county board.

3 **SECTION 2.** 118.40 (2r) (bm) of the statutes is amended to read:

4 118.40 (2r) (bm) The common council of the city of Milwaukee, the chancellor
5 of the University of Wisconsin–Milwaukee, and the Milwaukee ~~area technical college~~
6 Area Technical College district board may only establish or enter into a contract for
7 the establishment of a charter school located in the school district operating under
8 ch. 119. The chancellor of the University of Wisconsin–Parkside may only establish
9 or enter into a contract for the establishment of a charter school located in a unified
10 school district that is located in the county in which the University of
11 Wisconsin–Parkside is situated or in an adjacent county. A county board may only
12 establish or enter into a contract for the establishment of a charter school located in
13 the county.

14 **SECTION 3.** 118.40 (2r) (c) 1. of the statutes is amended to read:

15 118.40 (2r) (c) 1. ~~Only~~ For charter schools established by an entity under par.
16 (b) 1. a. to d., only pupils who reside in the school district in which ~~a~~ the charter
17 school ~~established under this subsection~~ is located may attend the charter school.
18 For charter schools established by a county board, only pupils who reside in the
19 county in which the charter school is located may attend the charter school.

20 ~~(END)~~



2003

Nonstat File Sequence: **AAA**

LRB _____/_____
_____:_____:_____

NONSTAT SESSLAW

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → nonstat

For the budget action phrase, execute: create → action: → *NS: → 91XX

For a subsection, execute: create → text: → *NS: → sub

For a paragraph, execute: create → text: → *NS: → par

For a subdivision, execute: create → text: → *NS: → subd

For a subdivision paragraph, execute: create → text: → *NS: → subpar

2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9100 department code.

SECTION # 91 **PROVISIONS.** Nonstatutory provision# 1

(#1)

→ STET →

~~A county board may not establish or enter into
a contract for the establishment of a charter
school~~

A charter school established by or under
contract with a county board may not
~~begin open~~ open for the attendance of
pupils until the 2005-06 school year.

(End)

under section 118.40 ~~(2r)~~ (2r) of the statutes

2-2:1 ✓

Section #. 118.40 (2r) (b) 2. of the statutes is amended to read:

118.40 (2r) (b) 2. A charter shall include all of the provisions specified ~~under~~ⁱⁿ sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified ~~under~~ⁱⁿ sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter school on the liability of the contracting entity under this paragraph. The contract may include other provisions agreed to by the parties. ~~The chan-~~^{\$ 2m.} cellor of the University of Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may not establish or enter into a contract for the establishment of a charter school under this paragraph without the approval of the board of regents of the University of Wisconsin System.

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33.

A county board may not establish or enter into a contract for the establishment of a charter school under this paragraph without the approval of the state superintendent under par. (b)(5).

2-2:2

SECTION ~~II~~. CR; 118.40(2r)(bg)

118.40(2r)(bg) The ~~charter school~~^A county board ~~of supervisors or a county executive~~ may request the state superintendent for approval to establish up to 2 charter schools in the county. The state superintendent shall approve the first 10 requests received. The state superintendent shall ensure that charter schools are established in no more than 10 counties under this paragraph.

- adopts a resolution authorizing it to establish or contract for the establishment of a charter school, it

if it adopts a resolution to do so.